SEP 0 3 2004 ES

Dated: September 3, 2004

Docket No. AMENDMENT TRANSMITTAL LETTER AHN-001DV1RCE Filing Date Examiner Art Unit Application No. 09/658734-Conf. #9039 September 11, 2000 R. A. Davis 1651 Applicant(s): Winfried EDELMANN, et al. METHODS FOR IDENTIFYING COMPOUNDS WHICH MODULATE THE ACTIVITY OF Invention: MSH₅ TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims Highest Remaining Number Number Previously **Extra Claims** After Amendment Paid Present Rate **Total Claims** 47 0.00 45 Х Independent 0.00 12 12 0 х **Claims** Multiple Dependent Claims (check if applicable) Other fee (please specify): Extension for response within first month 110.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 110.00 x Large Entity Small Entity No additional fee is required for this amendment. 12-0080 110.00 × Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed. A check in the amount of \$ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. 12-0080 X The Director is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed. x Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: September 3, 2004 Lisa M. DiRocco Attorney Reg. No.: 51,619 LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400 I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV419926260US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

PTO/SB/17 (10-03)
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	for	FY	200)4	

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known				
Application Number	09/658734-Conf. #9039			
Filing Date	September 11, 2000			
First Named Inventor	Winfried EDELMANN			
Examiner Name	R. A. Davis			
Art Unit	1651			
Attorney Docket No.	AHN-001DV1RCE			

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
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X Deposit Account:			0	-		
Deposit Account 12-0080	Fee	Entity	Fee	Entity	-	
Number 12-0000	Code	(\$)	Code	(\$)	Fee Description	Fee Paid
Deposit	1051	130	2051	65	Surcharge – late filing fee or oath	
Account Lahive & Cockfield, LLP					Surcharge – late provisional filing fee or cover	
The Director is authorized to: (check all that apply)	1052	50	2052	25	sheet.	
X Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specification	
X Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2 520	For filing a request for ex parte reexamination	
Charge any additional ree(s) or any underpayment of ree(s)		·			Requesting publication of SIR prior to	<u> </u>
Charge fee(s) indicated below, except for the filing fee	1804	920*	1804	920*	Examiner action	
to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	110.00
1. BASIC FILING FEE	1252	420	2252	210	Extension for reply within second month	
Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
·		110	2452	55	Petition to revive - unavoidable	
SUBTOTAL (1) (\$) 0.00	1453	1,330	2453	665	Petition to revive - unintentional	"
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility issue fee (or reissue)	
Extra Fee from Claims below Fee Paid	1502	480	2502	240	Design issue fee	
Total Claims 45 -47 = 0 x = 0.00	1503	640	2503	320	Plant issue fee	
Independent 12 -12 = 0 x = 0.00	1460	130	1460	130	Petitions to the Commissioner	
Claims 12 0 1 0 0.00	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
	1806	180	1806	180	Submission of Information Disclosure Stmt	
Large Entity Small Entity Fee	1				Recording each patent assignment per	
Code (\$) Code (\$)	8021	40	8021	40	property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	For each additional invention to be	
1203 290 2203 145 Multiple dependent claim, if not paid 1204 86 2204 43 ** Reissue independent claims		–			examined (37CFR 1.129(b))	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	Request for Continued Examination (RCE) Request for expedited examination	
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	of a design application	
and over original patent	Other fe	ee (spe	cify)			
SUBTOTAL (2) (\$) 0.00	*Reduc	ced by E	Basic Fi	ling Fee	Paid SUBTOTAL (3) (\$)	110.00
**or number previously paid, if greater, For Reissues, see above	L					

Name (Print/Type) Lisa M DiRocco Registration No. (Attorney/Agent) 51,619 Telephone (617) 227-7400 Signature Date September 3, 2004	SUBMITTED BY					(Complete	(if applicable))
Signature Date September 3, 2004	Name (Print/Type)	Lisa M DiRocco			51,619	Telephone	(617) 227-7400
	Signature	XIDA III	· A Les	locer	•	Date	September 3, 2004

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Dated: September 3, 2004

OCCU(Lisa M. DiRocco)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

165) 15FU

In re the application of: Winfried Edelmann et al.

Serial No.: RCE of 09/658,734

Filed: September 11, 2000

For: METHODS FOR IDENTIFYING

COMPOUNDS WHICH MODULATE THE

ACTIVITY OF MSH5

Attorney Docket No.: AHN-001DV1RCE

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Group Art Unit: 1651

Examiner: Davis, Ruth A.

Certificate of Express Mailing

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September 3, 2004

By:

Date of Signature and of Mail Deposit

Lisa M. DiRocco, Esq. Registration No. 51, 619 Attorney for Applicants

AMENDMENT AND RESPONSE

Dear Sir:

This is responsive to the Office Action dated May 3, 2004. A request for the appropriate extension of time is being filed herewith. Please amend the application as follows.

Serial Number: RCE of 09/658,734 -2- Group Art Unit: 1651

Amendments to the Claims begin on page 3 of this paper

Remarks/Arguments begin on page 11 of this paper